



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA  
Chief Executive Officer

August 16, 2010

To: Supervisor Gloria Molina, Chair  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

A handwritten signature in black ink, appearing to read "W. T. Fujioka", is written over the printed name and title.

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

## PROJECT 50 PROHIBITIONS OF RESIDENTS WITH SUBSTANCE ABUSE ISSUES

On August 3, 2010, your Board directed the Chief Executive Officer to report back to the Board within 14 days on prohibitions currently in place against Project 50 residents continuing to abuse substances while being housed at taxpayer expense.

Skid Row Housing Trust (SRHT), the housing provider for Project 50, implemented and abides by the SRHT Property Management Company (PMC) Policies of Illegal Drug Activity. This policy follows the Department of Housing and Urban Development (HUD) and the Housing Authority of the City of Los Angeles (HACLA) regulations, as well as the

City of Los Angeles' Municipal Code Section 47.50. In addition, this policy details SRHT's standard operating practices in complying with these regulations and law (Attachment I).

The Project 50 management team established and ensures staff adherence to a Drug-Related and Criminal Activity Policy. This policy includes the same requirements as is outlined in Attachment I referenced above. In addition, it includes procedures of how staff is to respond to suspected drug activity (Attachment II).

Substance abuse services, both group and individual treatment, are made available to all Project 50 clients through the Integrated Supportive Services Team. The team provides, health, mental health, and substance abuse treatment. All clients are encouraged to participate.

*"To Enrich Lives Through Effective And Caring Service"*

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Because the County only funds the service components of Project 50, the Drug-Related and Criminal Activity Policy also includes other applicable laws that staff must adhere to including obligations to confidentiality of patient information, i.e. psychotherapist/physician-patient privilege, the State Confidentiality of Medical Information Act, the Lanterman-Petris-Short Act, etc.

If you have any questions or need additional information, please contact me, or your staff may contact Kathy House, Acting Deputy Chief Executive Officer, at (213) 974-4530 or via e-mail at [khhouse@ceo.lacounty.gov](mailto:khhouse@ceo.lacounty.gov).

WTF:KH:  
EB:mh

Attachment (2)

c: Executive Office, Board of Supervisors  
County Counsel

P50 Prohibitions\_Board Memo\_ 81610

## Attachment I

### SRHT Property Management Company Policies (PMC) of Illegal Drug Activity

The SRHT PMC's policies on illegal drug sales are governed by the Department of Housing and Urban Development (HUD), the Housing Authority of the City of Los Angeles (HACLA) and the City of Los Angeles's Municipal Code Section 47.50.

HUD requires HACLA to develop standards that allow it to terminate assistance to a program participant if the participant:

- Is convicted of drug related criminal activity for the manufacture or production of methamphetamine on the premises of federally assisted housing. This is a lifetime ban.
- Is evicted from assisted housing due to drug related criminal activity or convicted of drug related criminal activity while participating in the program.
- Is convicted for illegal use of a drug or is evicted from assisted housing in which illegal use of a drug or a pattern of illegal use of a drug interferes with the health, safety or right to peaceful enjoyment of the premises by other residents.

Los Angeles Municipal Code Section 47.50 further defines rules for the landlords when a resident is convicted of illegal drug activity either on the premises or within a 1,000 foot radius of the landlord's property.

- Section 47.50 imposes an obligation on landlords to not allow their properties to be used or maintained for any illegal drug activity, drug-related nuisance or gang related crime.
- The section requires landlords to not allow a tenant to occupy the premises if he/she commits, permits, maintains or is involved in any drug related activity or drug-related nuisance on the premises or within a 1,000 foot radius from the boundary line of the premises.
- The section also provides for a landlord to bring an action to evict a tenant engaging in any of the activities listed above.

The SRHT PMC incorporates these requirements into its standard operating policy:

1. The PMC is required to take action to evict tenants who are engaging in drug-related activity, even if the activity is occurring off the premises as long as it is within 1,000 feet of the boundary line of the property.
2. When the City Attorney's Office is notified of an arrest that fits within the provisions of Los Angeles Municipal Code Section 47.50, the City Attorney's Office notifies the SRHT PMC of the drug related activity that occurred on its property and requires the PMC to begin eviction proceedings immediately against the tenant who was arrested. Failure of the PMC to comply can lead to civil or criminal charges.
3. Once the PMC is notified by the City Attorney's Office of a resident's arrest for drug-related activity, it serves the resident with a 3-day notice to vacate the premises. *This notice (Landlord's Response L.A.M.C §47.50) must be faxed or mailed to the Safe Neighborhood Division of the Office of the Los Angeles City Attorney.*
4. The 3-day notice shall include: a statement of the facts as presented by the City Attorney's Office, i.e. *You were arrested for violating California Health and Safety Code section 1135.5 (possession of cocaine for sale). Criminal charges were filed against you in case number XCOD302515684. A letter was received by this agency from the Office of the City Attorney stating we are required to evict you from the premises.*
5. The tenant's rental agreement is then terminated. If the tenant fails to surrender possession of the said premises by the end of the 3-day period, the PMC will initiate legal proceedings to recover possession of the premises.
6. The PMC staff and case management personnel regularly check the Los Angeles Police Department's website to see if any residents have been arrested for drug-related crimes, particularly if the resident has not been seen in his/her unit for more than seven days. Staff is required to notify the Field Supervisor of the affected property when he/she becomes aware that a tenant has been charged with a drug-related activity.
7. PMC staff can initiate move outs prior to notice from the City Attorney's Office if it determines the tenant has been arrested for sales on or near the Trust's properties and criminal charges have been filed against the tenant. The same process described in #4 above is employed.

An eviction under L.A.M.C §47.50 requires, as any eviction, a notice to the HACLA stating the reasons the tenant was evicted from SRHT property. This eviction will constitute a five-year prohibition from assistance from HACLA for the affected tenant.

Additionally, the following policies are incorporated into the SRHT Property Management Company's procedures. If suspected drug activity is taking place in the building, the following steps will be followed:

- Document tenants who are having excessive visitors to the building – noting odd hours, short visits, etc.
- Strictly enforce the building's visitor policy – do not allow visitors to roam the hallways unescorted, etc.
- Send letters to tenants as often as possible documenting activity that is not in accordance with the lease and/or house rules.
- When possible, restrict visitors to tenant (in accordance with lease provisions).
- Alert appropriate social services staff as soon as activity is suspected.
- Document any odd tenant behavior – such as disturbances or public intoxication in the public areas of the building. Encourage security and maintenance staff to document anything out of the ordinary.
- Use monthly reports to track incidents.
- Alert police precinct and narcotics division – if activity persists, it is recommended that undercover operations be initiated immediately.
- If the situation warrants it, invite police precinct to the building to educate other tenants about reporting suspicious behavior.

## PROJECT 50

### POLICY TITLE: DRUG-RELATED AND CRIMINAL ACTIVITY

**PURPOSE:** The purpose of this policy is to reinforce the role of Project 50 staff in addressing illegal drug-related or other criminal activity by Project 50 participants. Criminal activity is defined, for example, as illegal drug use, sales, distribution, or manufacturing of illegal substances.

**POLICY:** Project 50 staff is and will continue to comply with the policies of the Housing Authority of the City of Los Angeles (Attachment I), United States Housing and Urban Development (Attachment II), the Los Angeles Municipal Code Section 47.50 (Attachment III), and the Skid Row Housing Trust policies (Attachment IV) related to re-housing persons convicted of selling/transporting drugs or felonies. It is the Trust's responsibility to enforce policies and procedures and Project 50, like all other subcontractors, are required to comply with those policies.

Project 50 staff is and will continue to comply with all applicable laws and obligations concerning confidentiality of patient information, including the psychotherapist-patient privilege, the physician-patient privilege, the State Confidentiality of Medical Information Act, the Lanterman-Petris-Short Act, and the federal Health Insurance Portability and Accountability Act of 1996, and will not divulge confidential client information or communications (e.g., a patient discloses a drug abuse problem to a physician), unless otherwise required or permitted by law (e.g., Child Abuse Reporting Act).

**PROCEDURES:** Project 50 staff will:

1. Maintain as a priority their safety and the safety of participants by never confronting persons engaging in criminal activity, or putting themselves or participants at risk by engaging in behaviors that might lead to a violent response.
2. Strongly encourage participants who have been victimized by others to report this to the appropriate authorities, and facilitate their reporting as soon as possible.

3. Refer participants to appropriate legal assistance agencies when necessary to help them handle legal problems arising from their criminal behavior, including substance abuse.
4. Refer participants, as needed, to appropriate drug counseling/rehabilitation services and/or other appropriate services, as needed, and encourage their participation.

Skid Row Housing Trust Property Management Company will adhere to the following procedures for Project 50 participants if suspected drug activity is taking place in permanent supportive housing:

- Document tenants who are having excessive visitors to the building – noting odd hours, short visits, etc.
- Strictly enforce the building's visitor policy – do not allow visitors to roam the hallways unescorted, etc.
- Send letters to tenants as often as possible documenting activity that is not in accordance with the lease and/or house rules.
- When possible, restrict visitors to tenant (in accordance with lease provisions).
- Alert appropriate social services staff as soon as activity is suspected.
- Document any odd tenant behavior – such as disturbances or public intoxication in the public areas of the building. Encourage security and maintenance staff to document anything out of the ordinary.
- Use monthly reports to track incidents.
- Alert police precinct and narcotics division – if activity persists, it is recommended that undercover operations be initiated immediately.
- If the situation warrants it, invite police precinct to the building to educate other tenants about reporting suspicious behavior.